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Paper No. 18

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

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APR 01 2003

OFFICE OF PETITIONS

In re Application of :
Jacob Vroman :
Application No. 09/518,554 :
Filed: March 3, 2000 :
Attorney Docket No. AIP-001US1 :

ON PETITION

This is a decision on the petition, filed March 31, 2003, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).


There is no indication that petitioner herein, Mr. Robert McIsaac, was ever given a power of attorney in this application. However, in accordance with 37 CFR 1.34(a), the signature of Mr. Robert McIsaac appearing on the correspondence shall constitute a representation to the United States Patent and Trademark Office that he is authorized to represent the particular party in whose behalf he acts. If petitioner herein was never given a power of attorney in the instant application, the appropriate power of attorney documentation should be submitted if Mr. McIsaac desires to receive future correspondence regarding this file. A courtesy copy of this decision is being mailed to Mr. McIsaac. However, all future correspondence herein will be directed solely to the above-noted address of record.

Petitioner is advised that the issue fee paid on March 1, 2002 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that,

Telephone inquiries should be directed to the undersigned at (703) 305-8680.

Upon receipt of the file in the Office of Petitions, the file will be forwarded to Technology Center AU 1616 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the concurrently filed Information Disclosure Statement.


Frances Hicks
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc:

Robert McIsaac
Keown & Associates
500 West Cummings Park
Suite 1200
Woburn, WA 01801

whether a fee is indicated as being due or not, the Issue Fee Transmittal Form **must** be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).